



CARE IN THE COMMUNITY:

*Changes in Income Support and
other Social Security Benefits
from 1 April 1993*





CARE IN THE COMMUNITY

Important information for people in, or thinking of entering, a residential care or nursing home.

The Government's new community care arrangements come into effect on 1 April 1993. This will mean changes to the Income Support available for people going into a residential care or nursing home from that date.

What if I'm already in a registered residential care or nursing home on 31 March 1993?

You will not be affected by the new arrangements if you are in a registered residential care or nursing home on 31 March 1993.

You can claim the special higher levels of Income Support on the same basis as now.

Even if you are not getting the special higher levels of Income Support now, because, for example, you are meeting the fees yourself, you will still be able to claim the special higher levels if you need to in the future.

You will have what is known as "preserved rights" to the higher levels of Income Support.





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Are there any exceptions to preserved rights?

Yes. If you are in a “small home” (that is, a residential care home for fewer than four people), you will have preserved rights *only* if you are getting the higher levels of Income Support on 31 March 1993.

This applies in England and Wales only. The rules are different in Scotland. If you are in Scotland, check with your local Benefits Agency office.

What if I'm temporarily away from my residential care or nursing home on or after 31 March 1993?

If you normally live in this type of home but happen to be away on or after 31 March 1993, you may still be entitled to preserved rights.

You will be able to keep your preserved rights when you return, as long as you’re not absent for longer than:

- a) 52 weeks, if you go into hospital;
- b) 13 weeks, if, for example, you go to stay with relatives or friends.



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What if I'm living temporarily in a residential care or nursing home on 31 March 1993?

You will have preserved rights and can claim the special higher levels of Income Support for as long as your stay lasts. You will keep your preserved rights as long as you're not away for more than 4 weeks.

What if I move to a different home?

The amount of Income Support you receive may change depending on the type of home you move to and the type of care you receive.

If you enter a residential care or nursing home on or after 1 April 1993 you will come under the new community care arrangements.

What are the new arrangements for financial help?

If you think you need financial help to enter a residential care or nursing home from 1 April 1993 you should first contact your local authority's Social Services Department (Social Work Department in Scotland). They will discuss with you the most



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suitable type of care and, if appropriate, find you a place in a home, or help you choose one.

How will my care be paid for?

The Social Services will pay the home's fees and will work out how much you can afford to contribute, based on your income, including Social Security benefits, and any capital you may have. You will be left with a personal expenses allowance.

How will these changes affect Income Support?

If you move into a residential care or nursing home from 1 April 1993, you will not get the special higher levels of Income Support. But you can claim Income Support on the same basis as if you were living in your own home.

Your Income Support will include a Residential Allowance of £45 a week (£50 a week in Greater London).

How will these changes affect Attendance Allowance and Disability Living Allowance (Care component)?

If you are receiving one of these benefits when you move into a residential care or nursing home permanently, it will be withdrawn after four weeks. Don't worry, this will make no difference to the amount you are left with, as your Social Services Department will alter the amount you are expected to pay towards the fees.



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Are there any exceptions concerning Attendance Allowance and Disability Living Allowance (Care component)?

Yes. The changes to Attendance Allowance and Disability Living Allowance (Care component) do not apply if you, your family or friends are meeting the full cost of your fees in an independent residential care or nursing home.

Meeting the full cost means the Social Services Department (or Social Work Department in Scotland) do not contribute to the fees and you get no Income Support or Housing Benefit towards the cost.

How will the changes affect Housing Benefit?

If you move into a residential care or nursing home or "small home" from 1 April 1993 you will not be entitled to Housing Benefit.

What if I'm already in a home and getting Housing Benefit?

If you are already living in a residential care or nursing home on 31 March 1993 and are getting Housing Benefit you will continue to get it for as long as you stay in the same home.

You will stop receiving it if you move from that home permanently or if your entitlement to Housing Benefit ends. But there are special rules for people who were in a residential care or nursing home and were getting Housing Benefit on 29 October 1990.



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If you'd like to know more

If you'd like to know more about Social Security in general you can contact Freeline Social Security on 0800 666 555.

For further information about a current benefit claim you should contact your local Benefits Agency office.

Leaflet IS20 *Income Support* gives more information on how Income Support is worked out.

Leaflet IS50 *Help if you live in a residential care home or nursing home* will be available from 1 April 1993.

For further information about Housing Benefit you can contact your local council.

For more information on the new community care assessment procedures contact your local authority Social Services Department (Social Work Department in Scotland).

Please note that the information in this leaflet gives general guidance only; it is not an authoritative statement of law.

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